

UNITED STATES DISTRICT COURT

for the
Southern District of OhioFILED
RICHARD W. NAGEL
CLERK OF COURT
2/22/22U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTONIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)Priority Mail Package Tracking Number
9505512693662047106081 postmarked February 19,
2022

Case No. 3:22MJ070

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Package, 9505512693662047106081, addressed to Colette Burn's 116 Woolerly Ln Apt. A Dayton OH 45415, with a return address of Simone Burn's 40175 167th St. E Palmdale, CA 93591.
located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. 841(a)(1)	Distribution and possession with intent to distribute a controlled substance
21 U.S.C. 846	Conspiracy to distribute/possess with intent to distribute a controlled substance
21 U.S.C. 843(b)	Use of a communication facility to commit a felony

The application is based on these facts:

SEE ATTACHED AFFIDAVIT

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Joseph L. Rossiter, U.S. Postal Inspector

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
facetime (specify reliable electronic means).

Date: 02/22/2022

City and state: Dayton, OH



Signature

U.S. Magistrate Judge
and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN THE MATTER OF THE SEARCH OF
PRIORITY MAIL PACKAGE TRACKING
NUMBER 9505512693662047106081

Case No. 3:22MJ070

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, **Joseph L. Rossiter**, being first duly sworn, hereby depose and state as follows:

1. I am a United States Postal Inspector and have been since May 2016. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for southeast Indiana and southern Ohio. Part of my responsibility involves investigating the illicit use of the United States Mails in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

2. Based on my training and experience as a United States Postal Inspector, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Criminal Proceeds. Additionally, as a result of prior investigations, law enforcement training, and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned of certain common characteristics and/or circumstances that indicate that a package may contain Drugs and/or Criminal Proceeds. These circumstances and/or characteristics include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send packages, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery

address, the package is heavily taped, the package is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanate from the package, and the listed address is located in an area of known or suspected drug activity.

3. On February 22, 2022, Postal Inspectors intercepted a package (hereinafter “the Package”) at the Cincinnati Network Distribution Center (NDC). The Package is a Priority Mail brown box, bearing tracking number 9505512693662047106081, postmarked February 19, 2022, with the following address information:

Sender: Simone Burn’s
40175 167th St. E
Palmdale, CA 93591

Addressee: Colette Burn’s
116 Woolerly Ln Apt. A
Dayton OH 45415

Based upon my prior training and experience as a Postal Inspector, I know that the Central California area is a well-known drug source location. I also noticed the return address reflects a zip code of 93591. According to postal records it was actually mailed from zip code 93553, which is located over an hour away from the return address.

4. I performed a check in the CLEAR database for the addressee’s information on the Package of “Colette Burn’s 116 Woolerly Ln Apt. A Dayton OH 45415.” CLEAR is a law enforcement database that is used as a tool by investigators designed to link subjects to a particular address. According to CLEAR, there is no “Colette Burn’s” or ‘Colette Burns’ associated with 116 Woolerly Ln, Apt A, Dayton, OH 45415.

5. I also performed a check in CLEAR for the sender’s information listed on the Package of “Simone Burn’s 40175 167th St. E Palmdale, CA 93591.” According to CLEAR, there is no “Simone Burn’s” or ‘Simone Burns’ associated with 40175 167th St E, Palmdale, CA 93591.

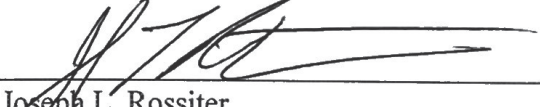
6. On February 22, at my request, Montgomery County Sheriff's Office Detective Anthony Hutson conducted a narcotics-detection canine "free air" check of the outside of the Package. I was present during said check. The Package was placed in a controlled area and presented to narcotics-detection canine, "Hank." As set forth in the attached affidavit of Detective Hutson, "Hank" alerted positively for the presence or odor of a narcotic or other controlled substance. "Hank" is a properly trained and certified narcotics-detection canine.

7. Based on my prior law enforcement training and experience as a United States Postal Inspector, the Package's address information, including (i) no known association between the sender and return address, (ii) no known association between the addressee and recipient address and (iii) the positive alert of the narcotics-detection canine are all indicative of, and consistent with Drugs and/or Proceeds being present in the Package.

Therefore, I respectfully request a search warrant to be issued authorizing the opening of the Package.

Further, your affiant sayeth naught.

Respectfully submitted,



Joseph L. Rossiter
Postal Inspector
United States Postal Inspection Service

Subscribed and sworn to and before me this 22 day of Feb, 2022.

HONORABLE SHARON L. OVINGTON
UNITED STATES MAGISTRATE JUDGE






UNITED STATES POSTAL INSPECTION SERVICE

PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Deputy Anthony Hutson, am and have been employed by the Montgomery County Sheriff's Office since 1998. Among other duties, I am currently the assigned handler of narcotics detection canine "Hank" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

Cocaine, Methamphetamine, Heroin, and their derivatives

On 2.22.22, at the request of Postal Inspector ROSSITER, I responded to the DAYTON P&DC, where "Hank" did alert to and indicate upon: [describe item]

<u>SIMONE BURNS</u>	<u>COLLETTE BURNS</u>
<u>40175 167 TH ST E</u>	<u>116 WOOLERY LN APT A</u>
<u>PALMDALE, CA 93591</u>	<u>DAYTON, OH 45415</u>
<u>9505 5126 9366 2047 1060 81</u>	

Which, based upon my training and experience and that of "Hank", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

Dugan 101 2.22.22
(Signature, Badge #, and Date)

[Signature] 2/22/22
(Witness/Date)